



FOLEY &amp; LARDNER LLP

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JUN 27 2006

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## FACSIMILE TRANSMISSION

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Total # of Pages 6 (including this page)

TO:	PHONE #:	FAX #:
United States Patent and Trademark Office Commissioner for Patents Examiner: Li, Bao Q. Art Unit: 1648		571-273-8300

From : Barry S. Wilson  
Email Address : bwilson@foley.com  
Sender's Direct Dial : 858.847.6722  
Date : June 27, 2006  
Client/Matter No : 034827-0705  
User ID No : 3067

U.S. Application No.: 10/759,514

Docket No.: 034827-0705

## MESSAGE:

Please find enclosed:

Transmittal (2 pages);

Response to Restriction Requirement (2 pages);

Credit Card Payment Form (1 page).

If there are any problems with this transmission or if you have not  
received all of the pages, please call 571-273-8300.

Operator:	Time Sent:	Return Original To: Vanessa E. Agha
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Cover Page 1 of 1

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Atty. Dkt. No. 034827-0705

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: Baumann et al.

Title: OLIGONUCLEOTIDES AND  
METHODS FOR DETECTING  
HEPATITIS C VIRAL NUCLEIC  
ACIDS

Appl. No.: 10/759,514

Filing Date: 01/16/2004

Examiner: Li, Bao Q.

Art Unit: 1648

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b> I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.  <i>Vanessa E. Agha</i> (Printed Name)  <i>Vanessa E. Agha</i> (Signature)  <i>June 27, 2006</i> (Date of Deposit)
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**TRANSMITTAL**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Response to Restriction Requirement in the above-identified application.

☒ [ X ] Response to Restriction (2 pages).☒ [ X ] Credit Card Payment Form.☒ [ X ] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

Atty. Dkt. No. 034827-0705

<input checked="" type="checkbox"/> Extension for response filed within the first month:	\$120.00	\$120.00
<input type="checkbox"/> Extension for response filed within the second month:	\$450.00	\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$1,020.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,590.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,160.00	\$0.00
EXTENSION FEE TOTAL:		\$120.00
<input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$120.00
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):		\$0.00
TOTAL FEE:		\$120.00

A credit card payment form in the amount of \$120.00 to cover the filing fee is enclosed.

If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date

June 27, 2006

By

Barry Wilson

FOLEY & LARDNER LLP

Customer Number: 30542

Telephone: (858) 847-6722

Facsimile: (858) 792-6773

Richard J. Warburg (Reg. no. 32,327)

Attorney for Applicant

By Barry S. Wilson (Reg. No. 39,431)

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JUN 27 2006

Atty. Dkt. No. 034827-0705

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: BAUMANN et al.

Title: OLIGONUCLEOTIDES AND METHODS  
FOR DETECTING HEPATITIS C VIRAL  
NUCLEIC ACIDS

Appl. No.: 10/759,514

Filing Date: 01/16/2004

Examiner: Li, Bao Q.

Art Unit: 1648

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--

**RESPONSE TO RESTRICTION REQUIREMENT**Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In response to the restriction requirement set forth in the Office Action mailed May 4, 2006, Applicants hereby provisionally elects Group I, Claims 1-6, drawn to a substantially purified oligonucleotide. Applicants further elect as species SEQ ID NO: 4.

Applicants respectfully traverse the Restriction Requirement with respect to the species election. SEQ ID NO: 4 is an upstream primer for preparing lambda phage/HCV hybrid nucleic acid while SEQ ID NO:5 is the downstream primer. Because of the similarity of purpose of these primers, Applicants request that both SEQ ID NO: 4 and SEQ ID NO: 5 be searched initially and that if no prior art be found, that the examiner expand the search to the remaining species.

No fee is believed due with this filing, however, the Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16 1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated,

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Atty. Dkt. No. 034827-0705

otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Respectfully submitted,

Date June 27, 2006

FOLEY & LARDNER LLP  
Customer Number: 30542  
Telephone: (858) 847-6722  
Facsimile: (858) 792-6773

By Barry Wilson

Richard Warburg Reg. No. 32,327  
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